

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L DAR ES SALAAM 000206

SIPDIS

DEPT FOR IO, AF/RSA, AND AF/E

E.O. 12958: DECL: 2/1/15

TAGS: [PREL](#) [PHUM](#) [KPKO](#) [ETFC](#) [ETRD](#) [SU](#) [TZ](#)

SUBJECT: TANZANIANS CAUTIOUS ON AU-UN SUDAN TRIBUNAL

REF: STATE 18243

Classified by Charge d'Affaires Michael S. Owen for reasons 1.4 (b) and (d).

1. (U) Charge met on February 1 with Ambassador Liberata Mulamula, the Foreign Ministry Director for Multilateral Affairs, to deliver refel demarche on Sudan action in the UN Security Council. Charge provided Mulamula with copies of refel paragraphs 7 and 8 talking points and concept paper, and reviewed both documents in detail.

2. (C) Mulamula said Tanzania would in principle be "delighted" to host a Sudan tribunal in Arusha, noting that substantial infrastructure was already in place because of the ICTR's long residence, and that there was already considerable concern about the negative economic ramifications of the ICTR's departure after 2008. Such a tribunal would be "very welcome" in Arusha, she emphasized. That said, however, the GOT would only support such a tribunal if there was a solid consensus for its creation among AU and UNSC member states. It would be "unseemly", she said, for Tanzania to take the lead in advocating such a tribunal because Tanzania stood to benefit economically from its presence.

3. (C) Mulamula further emphasized that the GOT remains a firm advocate of the International Criminal Court, and would not do anything to "undermine the credibility and jurisdiction" of the ICC. Noting that the GOT had always been a strong supporter of the ICC (as further evidenced by the GOT's refusal to consider an Article 98 agreement), Mulamula said the GOT is concerned that creation of an AU Sudan tribunal could weaken the stature of the ICC, and establish a bad precedent. She acknowledged Charge's argument of the importance of building the AU's capacity to address war crimes issues, but said the GOT would be reluctant to push for an AU tribunal unless there was a clear favorable consensus among other AU states, and on the UNSC.

4. (C) The GOT warmly welcomed the Commission of Inquiry's report, Mulamula said, and is fully supportive of a strong peacekeeping force in Sudan. Tanzania has an "open mind" on the composition and deployment of the force, as well as its relationship to the AU force in Darfur, she said, and the GOT is prepared to listen to views of others before making a decision. The GOT strongly favors sanctions against those identified as having committed human rights violations, although she noted that "guerrillas in the bush" may be little fazed by sanctions.

5. (C) Comment: If a consensus forms around creation of an AU Sudan tribunal, then Tanzania will not oppose, but it is clear that, given the GOT's strong identification with the ICC, Tanzania will not be out front on this issue. On supporting the Commission of Inquiry, sanctions, and Peacekeeping Forces, the GOT is still forming its opinions, but we would appear to have many areas of agreement. End comment.

OWEN